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**TERMINAL DISCLAIMER TO OBVIAE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

226272003310

In re Application of: Edward M. ATKINSON et al.

Application No.: 10/016,767

Filed: October 30, 2001

For: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED  
RECOMBINANT AAV VECTORS

The owner\*, Targeted Genetics Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/020,482, filed on October 30, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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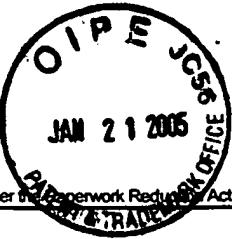
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2.  The undersigned is an attorney or agent of record.

  
Signature \_\_\_\_\_ 5/21/04  
\_\_\_\_\_  
Barrie J. Carter EVP, CEO  
Typed or printed name \_\_\_\_\_  
206-623-7612  
Telephone Number \_\_\_\_\_

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.



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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Edward M. ATKINSON et al.Application No./Patent No.: 10/016,767 Filed/Issue Date: October 30, 2001Entitled: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED RECOMBINANT AAV VECTORSTargeted Genetics Corporation, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011417,  
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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/24/04

Date

Barrie J Carter

Typed or printed name

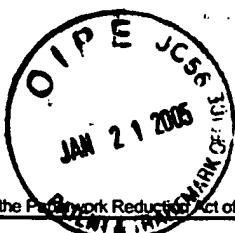
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TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

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1.  the assignee of the entire right, title, and interest; or
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206 623 7612

Date

Barrie J Carter EVP, CSO

Typed or printed name

5725 04

Telephone Number

Signature

EVP CSO

Title